

**AUBURN CITY COUNCIL
REGULAR SESSION AGENDA**

City Hall, Council Chambers
1225 Lincoln Way, Auburn, CA 95603

February 25, 2013

Closed Session 5:45 p.m.

Regular Session 6:00 p.m.

Meeting facilities are accessible to persons with disabilities. Requests for Assistive Listening Devices or other considerations should be made through the City Clerk's Office at (530) 823-4211, Ext. #112

CALL TO ORDER

ROLL CALL

By **MOTION** adjourn to a Closed Session under Government Code Section 54957.6

Existing Litigation:
(G.C. 54956.9(a))

Name of Case: City of Auburn v. Sierra Patient and Caregiver Exchange, Inc. et al.

Names of Parties: Plaintiff: City of Auburn. Defendants: Sierra Patient and Caregiver Exchange, Inc. (dba S&R Blooms & Blossoms); Richard Miller; and Does 1-10

Case No. S-CV-0029599 (Placer Superior Court)

REPORT OUT OF CLOSED SESSION

PLEDGE OF ALLEGIANCE

**MAYOR'S COMMENDATIONS/PROCLAMATIONS/ACKNOWLEDGEMENTS/
ANNOUNCEMENTS**

Auburn Drug Company

AGENDA APPROVAL

This is the time set aside for council members and/or the public to ask for removal, postponement or a change to the listed sequence of an agenda item.

CONSENT CALENDAR

All matters listed under the Consent Calendar are considered to be routine in nature and will be approved by one blanket motion with a roll call vote.

There will be no separate discussion of these items unless persons request specific items to be removed from the Consent Calendar for discussion and separate action. Any items removed will be considered after the motion to approve the Consent Calendar.

1. **Warrants** **Pages 7-10**

By **RESOLUTION**, ratify and approve payment of warrants 81499 through 81682 totaling \$548,256.33.

2. **Recognized Obligation Payment Schedule** **Pages 11-20**

As Successor Agency to the dissolved Auburn Urban Development Authority, by **RESOLUTION**, approve and adopt an update to the Recognized Obligation Payment Schedule pursuant to Health and Safety Code section 34177.

3. **Planning Commission Appointment** **Pages 21-24**

By **RESOLUTION**, appoint Nick Willick to the City of Auburn Planning Commission.

4. **Historic Design Review Commission Appointment** **Pages 25-28**

By **RESOLUTION**, reappoint Terry Green to the Historic Design Review Commission.

***** End of Consent Calendar *****

5. **Public Comment**

This is the time provided so that the public may speak to the Council on any item not on this agenda. Please make your comments as brief as possible. The Council cannot act on items not included on this agenda; however, the items will be automatically referred to staff. Please speak your name, spell your name, and provide your address if you desire. Council Members shall have the option to speak for 30 seconds on any item not on this agenda at this time.

COUNCIL BUSINESS

6. **Auburn Fire 2012 Incident Response Report** **Pages 29-30**

Staff will present an overview of the 2012 Fire Department response and functions.

7. **Regional Sewer Project Deal Points**

Pages 31-36

By **MOTION**, approve the Regional Sewer Deal Points and direct staff to send them to Placer County Board of Supervisors and the City of Lincoln.

8. **Transfer of Documents and Records to the Placer County Archives**

Pages 37-38

By **MOTION**, approve the transfer of historic city documents and records to the Placer County Archives for safekeeping.

REPORTS

9. **City Council Committee Reports**

The purpose of these reports is to provide information to the city council and public on projects and programs that are discussed at committee meetings. **No decisions are to be made on these issues.** If a council member would like formal action on any of these discussed items, it will be placed on a future city council agenda.

ADJOURNMENT

Materials related to an item on this Agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office, 1225 Lincoln Way, Room 8, Auburn, CA 95603 during normal business hours.

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City of Auburn

Commendation

Auburn Drug Company

WHEREAS, Auburn Drug Company has been dispensing a special brand of service, whether it's a prescription for a lifesaving or pain easing drug or their famous Irish Soda at its original Tiffany marble soda fountain, for Auburn area residents for over 116 years; and

WHEREAS, Auburn Drug Company pharmacists have dispensed well over 1 million prescriptions to local residents; and

WHEREAS, Auburn Drug Company has for generations provided that first job and invaluable work experience for many local high school students; and

WHEREAS, Auburn Drug Company was named the Business of the Year in 2002 by the Auburn Chamber of Commerce and has been a leader in promoting Think Auburn First;

NOW THEREFORE, I, Kevin Hanley, Mayor of the City of Auburn, California, on behalf of the City Council, commend the owners, pharmacists and workers at the Auburn Drug Company for your service with a smile and your wonderful contributions to making Auburn a great place to live.

Issued this 25th day of February, 2013

Kevin Hanley, Mayor

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Report to the Auburn City Council

Action Item

Agenda Item No. **1**

[Signature]
City Manager's Approval

To: Honorable Mayor and City Council Members
From: Andy Heath, Administrative Services Director
Date: February 25, 2013
Subject: Approval of Warrants Paid – January 2013

The Issue

Shall the City Council adopt a resolution approving accounts payable warrants paid from January 1, 2013 – January 31, 2013?

Conclusions and Recommendations

By RESOLUTION, ratify and approve payment of warrants 81499 through 81682 totaling \$548,256.33.

Background

State of California Government Code Section 37208 requires a legislative body to ratify and approve demands paid by warrant or check. As such, the following demands have been paid from the City's treasury:

Jan. 1 – 31, 2013: Check No. 81499 – 81682 \$ 548,256.33

Total Demands Paid: \$ **548,256.33**

Alternatives Available to Council; Implications of Alternatives

1. Adopt a resolution approving warrants paid during the month of January 2013. The Government Code requires a legislative body to ratify and approve demands paid by warrant or check.

Fiscal Impact

Warrants paid during the month of January 2013 have been paid consistent with budgetary balances available.

A schedule of warrants paid as referenced by this memorandum is available for review in both the City Clerk's Office and the Administrative Services Department, City of Auburn City Hall.

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RESOLUTION NO. 13-
RESOLUTION APPROVING WARRANTS 81499 THROUGH 81682 TOTALING
\$548,256.33

THE CITY COUNCIL OF THE CITY OF AUBURN DOES HEREBY RESOLVE:

That the City Council of the City of Auburn does hereby ratify and
approve payment of warrants 81499 through 81682 totaling \$548,256.33.

DATED: February 25, 2013

Kevin Hanley, Mayor

ATTEST:

Stephanie L. Snyder, City Clerk

I, Stephanie Snyder, City Clerk of the City of Auburn, hereby certify that
the foregoing resolution was duly passed at a regular meeting of the City
Council of the City of Auburn held on the 25th day of February, 2013 by the
following vote on roll call:

Ayes:
Noes:
Absent:

Stephanie L. Snyder, City Clerk

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*Report to the
Successor Agency to the
Dissolved AUDA*

Action Item
Agenda Item No. **2**

City Manager's Approval

To: Honorable Mayor and Members of the City Council, Serving as Successor Agency to the Dissolved Auburn Urban Development Authority

From: Robert Richardson, City Manager
Andy Heath, Administrative Services Director

Date: February 25, 2013

Subject: Consideration of approving and adopting an update of the Recognized Obligation Payment Schedule pursuant to Health and Safety Code section 34177

The Issue

Shall the City Council adopt a resolution approving and adopting an update to the Recognized Obligation Payment Schedule pursuant to Health and Safety Code section 34177?

Action Requested

It is recommended that the City Council, by **RESOLUTION**, approve and adopt an update to the Recognized Obligation Payment Schedule pursuant to Health and Safety Code section 34177.

Background

On June 28, 2011, as part of the 2011-2012 State of California budget bill, companion bills Assembly Bill 1X 26 ("AB 26") and Assembly Bill 1X 27 ("AB 27") were enacted, dissolving the Auburn Urban Development Authority ("AUDA"), unless the City of Auburn ("City") elected to participate in the "Alternative Voluntary Redevelopment Program" established by AB 27 and paid an annual "community remittance" payment to the County of Placer. On July 18, 2011, a Petition for Writ of Mandate was filed in the Supreme Court of the State of California in the matter of *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, Case No. S194861 ("Legal Action"), challenging the constitutionality of AB 26 and AB 27 on behalf of cities, counties and redevelopment agencies. On December 29, 2011, the Supreme Court issued its opinion in the Legal Action, upholding AB 26, invalidating AB 27, extending certain statutory

deadlines under Health and Safety Code Sections 34170 through 34191, and dissolving all redevelopment agencies throughout the State, effective February 1, 2012.

Analysis

The City elected to become the successor agency to AUDA by Resolution No. 12-03, dated January 9, 2012. One of the responsibilities of the City, as successor agency, is to prepare Recognized Obligation Payment Schedules (“ROPS”), which sets forth the nature, amount, and source(s) of payment of all “enforceable obligations” of AUDA (as defined by law) to be paid by the successor agency after AUDA’s dissolution, covering the forward-looking six month fiscal period.

The “enforceable obligations” listed in the ROPS may include the following: bonds; loans legally required to be repaid pursuant to a payment schedule with mandatory repayment terms; payments required by the federal government, preexisting obligations to the state or obligations imposed by state law; judgments, settlements or binding arbitration decisions that bind the agency; legally binding and enforceable agreements or contracts; contracts or agreements necessary for the continued administration or operation of the agency, including agreements to purchase or rent office space, equipment and supplies; and amounts borrowed from or payments owing to the Low and Moderate Income Housing Fund of a redevelopment agency, which had been deferred as of June 29, 2011. However, the ROPS is to exclude pass-through payments to be made by the county after dissolution of AUDA and any agreements, contracts or arrangements between the City and AUDA, except any of the following agreements between the City and AUDA: (1) any written agreements between the City and AUDA entered into prior to December 31, 2010, solely for the purpose of securing or repaying indebtedness obligations to third parties; and (2) loan agreements entered into between the City and AUDA within two years of the date of creation of AUDA.

Pursuant to Health and Safety Code section 34177(I)(2), as modified by the Supreme Court’s opinion in the Legal Action, the City, as successor agency, is required to prepare updated ROPS covering a forward looking six-month period. As such, the ROPS for the period July 1, 2013 – December 31, 2013 must be approved by the Successor Agency and Oversight Committee and received by the State and County by March 1, 2013.

The City, as successor agency, has prepared an updated ROPS covering the period from July 1, 2013 through December 31, 2013. The ROPS presented herein is submitted in a new, simplified format recently released by the State Department of Finance. The new format includes a “true-up” schedule for obligations reported and actually paid during the period July 2012 – December 2012.

Alternatives Available to the Council; Implications of Alternatives

1. By **RESOLUTION**, approve and adopt an updated Recognized Obligation Payment Schedule pursuant to Health and Safety Code section 34177.
2. Do not adopt a resolution. As successor agency to the former Auburn Urban Development Authority, the City is required to adopt an updated Recognized Obligation Payment Schedules for consideration by the Oversight Committee.

Fiscal Impact

City funds expended to prepare the updated ROPS are considered within the administrative reimbursement component of funds to be allocated from the Redevelopment Property Tax Trust Fund, to the extent available.

Attachment – Updated ROPS

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN,
SERVING AS THE SUCCESSOR AGENCY TO THE DISSOLVED
AUBURN URBAN DEVELOPMENT AUTHORITY, APPROVING AND
ADOPTING AN UPDATE OF THE RECOGNIZED OBLIGATION
PAYMENT SCHEDULE PURSUANT TO HEALTH AND SAFETY CODE
SECTION 34177**

WHEREAS, pursuant to Health and Safety Code Section 34173(d), the City of Auburn ("Successor Agency") elected to become the successor agency to the Auburn Urban Development Authority by Resolution No.12-03 on January 9, 2012; and

WHEREAS, Health and Safety Code Section 34183, as modified by the Supreme Court decision in *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, Case No. S194861, requires the Successor Agency to prepare updated recognized obligation payment schedules ("ROPS") for each six month fiscal period beginning January 1 and July 1 each year; and

WHEREAS, Health and Safety Code Section 34177(l)(2) requires the Successor Agency to submit the updated ROPS to an external auditor, either the Placer County Auditor-Controller or its designee, for the auditor's review and certification as to its accuracy; and

WHEREAS, Health and Safety Code Section 34177(l)(2) requires the Successor Agency to submit the ROPS certified by the external auditor ("Certified ROPS") to the Successor Agency's oversight board for its approval, and upon such approval, the Successor Agency is required to submit a copy of the approved ROPS ("Approved ROPS") to the Placer County Auditor-Controller, the California State Controller, and the State of California Department of Finance, and post the Approved ROPS on the Successor Agency's website; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN,
SERVING AS THE SUCCESSOR AGENCY TO THE AUBURN URBAN
DEVELOPMENT AUTHORITY, DOES HEREBY RESOLVE AS FOLLOWS:**

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. CEQA Compliance. The approval of the updated ROPS through this Resolution does not commit the Successor Agency to any action that may have a significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act.

Section 3. Approval of Updated ROPS. The Successor Agency hereby approves and adopts the updated ROPS, in substantially the form attached to this Resolution as Exhibit A, as required by Health and Safety Code Section 34177.

Section 4. Transmittal of Updated ROPS. The City Manager is hereby authorized and directed to take any action necessary to carry out the purposes of this Resolution and comply with applicable law regarding the updated ROPS, including submitting the updated ROPS to the Placer County Auditor-Controller, or its designee, the submission of the Certified ROPS to the Successor Agency's oversight board, upon the oversight board's formation, the submission of the Approved ROPS to the Placer County Auditor-Controller, the California State Controller, and the State of California Department of Finance, and posting the Approved ROPS on the Successor Agency's website.

Section 5. Effectiveness. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City of Auburn, serving as the successor agency to the Auburn Urban Development Authority, on the 25th day of February 2013, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Mayor

ATTEST:

City Clerk

EXHIBIT A

UPDATED RECOGNIZED OBLIGATION PAYMENT SCHEDULE

SUMMARY OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE

Filed for the July 1, 2013 to December 31, 2013 Period

Name of Successor Agency: AUBURN (PLACER)

Outstanding Debt or Obligation	Total
Total Outstanding Debt or Obligation	\$8,664,334

Current Period Outstanding Debt or Obligation	Six-Month Total
A Available Revenues Other Than Anticipated RPTTF Funding	\$0
B Enforceable Obligations Funded with RPTTF	\$329,948
C Administrative Allowance Funded with RPTTF	\$54,000
D Total RPTTF Funded (B + C = D)	\$383,948
E Total Current Period Outstanding Debt or Obligation (A + B + C = E) Should be same amount as ROPS form six-month total	\$383,948
F Enter Total Six-Month Anticipated RPTTF Funding	\$0
G Variance (F - D = G) Maximum RPTTF Allowable should not exceed Total Anticipated RPTTF Funding	(\$383,948)

Prior Period (July 1, 2012 through December 31, 2012) Estimated vs. Actual Payments (as required in HSC section 34186 (a))

H Enter Estimated Obligations Funded by RPTTF (lesser of Finance's approved RPTTF amount including admin allowance or the actual amount distributed)	\$170,671
I Enter Actual Obligations Paid with RPTTF	\$127,623
J Enter Actual Administrative Expenses Paid with RPTTF	\$48,997
K Adjustment to Redevelopment Obligation Retirement Fund (H - (I + J) = K)	\$0
L Adjustment to RPTTF (D - K = L)	\$383,948

Certification of Oversight Board Chairman:

Pursuant to Section 34177(m) of the Health and Safety code,

I hereby certify that the above is a true and accurate Recognized

Obligation Payment Schedule for the above named agency.

Keith Nesbitt

Name

Chairman

Title

/s/

2/27/2013

Signature

Date

18

AUSURN (PLACER)

[illegible]

[illegible]



Report to the Auburn City Council

Action Item

Agenda Item No. **3**

City Manager's Approval

To: Mayor and City Council Members
From: Deputy City Clerk Amy Lind
Date: February 25, 2013
Subject: Planning Commission Appointment

The Issue

Shall the City Council ratify the Planning Commission appointment of Nick Willick by Council Member Kirby?

Conclusion and Recommendation

It is recommended that the City Council by **RESOLUTION** appoint Nick Willick to the City of Auburn Planning Commission.

Background

On September 4, 2012, Planning Commissioner Bob Snyder submitted his resignation while stating he would continue to serve until a replacement was appointed. Public notices were published in the local newspaper on 9/14/2012 and 12/7/2012 calling for applicants. Per Auburn Municipal Code Section 32.016(H) (1) Vacancies:

In the event of a vacancy in the Commission, other than vacancies caused by expiration of terms of members, a person shall be appointed by the Council member making the original appointment, to fill the unexpired term.

Council Member Kirby is recommending the appointment of Nick Willick to the Planning Commission. Appointments to the Commission shall be ratified by a majority of the City Council. If approved, Nick Willick's appointment will run concurrent with that of Council Member Kirby.

Fiscal Impacts

None

September 4, 2012

Auburn City Council;
Auburn Planning Commission;
City of Auburn

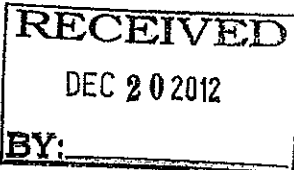
To whom it may concern:

With this letter, I hereby submit my resignation from the Planning Commission, effective upon appointment by Council Member Kirby of a replacement to fill the remainder of my term.

Sincerely,

A handwritten signature in black ink that reads "Bob Snyder". The signature is written in a cursive style with a large, stylized "B" and "S".

Bob Snyder
Planning Commissioner



APPLICATION FOR
CITY COUNCIL APPOINTMENT

- | | |
|--|--|
| <input type="checkbox"/> Arts Commission | <input type="checkbox"/> Historic Design Review Commission |
| <input type="checkbox"/> Economic Development Commission | <input type="checkbox"/> Library Advisory Board |
| <input type="checkbox"/> Endurance Capital Committee | <input type="checkbox"/> Mosquito Abatement District Board |
| <input type="checkbox"/> Greater Auburn Area Fire Safe Council | <input checked="" type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Telecommunications Commission | |

Auburn area residents are eligible to apply for appointment to commissions and committees that have been established by the City Council. If you would like to be considered for an appointment, please indicate your area(s) of interest above and complete the form below.

Name: NICHOLAS S WILICK

Mailing Address: Auburn CA

Phone: REDACTED FOR PRIVACY
(Home) (Work)

Email: NWILICK@SIERRACOLLEGE.EDU

Profession: COLLEGE PROFESSOR - DEPT. COORDINATOR

Professional History: 33 1/2 YEARS CITY OF AUBURN SERVING AS BOTH POLICE CHIEF & CITY MANAGER. CURRENTLY PROFESSOR & DEPT COORDINATOR AT SIERRA COLLEGE

Tell why are you interested in serving on this commission or committee. I WOULD LIKE

TO BE INVOLVED IN THE FUTURE PLANNING OF OUR COMMUNITY.

I HAVE LIVED IN AUBURN FOR SIXTY YEARS AND I'M

PROUD TO CALL IT MY HOME. I WOULD LIKE TO SEE THE

CHARACTER OF OUR COMMUNITY PRESERVED AS AUBURN

GROWS & EVOLVES AND I FEEL I CAN HELP BY SERVING ON

OUR PLANNING COMMISSION

Return the completed form to: Auburn City Hall
c/o City Clerk's Office
1225 Lincoln Way, Room 8
Auburn, CA 95603
530/823-4211, Ext. 112

1 RESOLUTION NO. 13-
2

3 RESOLUTION APPOINTING NICK WILICK TO THE
4 PLANNING COMMISSION
5 -----

6 THE CITY COUNCIL OF THE CITY OF AUBURN DOES HEREBY RESOLVE:
7

8 That the City Council of the City of Auburn does hereby authorize the
9 appointment of Nick Willick to the Planning Commission as Council Member
10 Bill Kirby's appointment.
11

12 DATED: February 25, 2013
13

14 _____
15 Kevin Hanley, Mayor

16 ATTEST:
17

18 _____
19 Stephanie L. Snyder, City Clerk

20 I, Stephanie L. Snyder, City Clerk of the City of Auburn, hereby certify
21 that the foregoing resolution was duly passed at a regular meeting of the
22 City of Auburn held on the 25th day of February 2013 by the following vote
on roll call:

23 Ayes:

24 Noes:

25 Absent:

26 _____
27 Stephanie L. Snyder, City Clerk
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Report to the Auburn City Council

Action Item

Agenda Item No. **4**


City Manager's Approval

To: Mayor and City Council Members
From: Deputy City Clerk Amy Lind
Date: February 25, 2013
Subject: Appointment of Historic Design Review Commissioner

The Issue

Shall the City Council confirm the recommended appointment to the Historic Design Review Commission?

Conclusion and Recommendation

It is recommended by **RESOLUTION** make the recommended appointment to the Historic Design Review Commission.

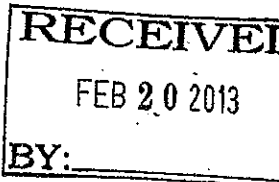
Background

The Historic Design Review Commission has one scheduled vacancy. Terry Green's term expired 2/2013. This vacancy is the at-large member who according to Auburn Municipal Code 159.494 C(1) must be an architect. This vacancy was advertised in the Auburn Journal public notice section. Terry Green has applied to serve another term; no other applications were received. Terry Green is a seasoned architect, and partner at Williams & Paddon Architects in Roseville. He has served in the past on the Planning Commission and has lived in Auburn for almost 20 years. The contributions Terry brings to the HDRC are considerable.

It is recommended to appoint Terry Green to the "at-large" position with the qualification of being an architect with a term ending 2/1/2017.

Fiscal Impacts

None



APPLICATION FOR
CITY COUNCIL APPOINTMENT

- | | |
|--|---|
| <input type="checkbox"/> Arts Commission | <input checked="" type="checkbox"/> Historic Design Review Commission |
| <input type="checkbox"/> Economic Development Commission | <input type="checkbox"/> Library Advisory Board |
| <input type="checkbox"/> Endurance Capital Committee | <input type="checkbox"/> Mosquito Abatement District Board |
| <input type="checkbox"/> Greater Auburn Area Fire Safe Council | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Telecommunications Commission | |

Auburn area residents are eligible to apply for appointment to commissions and committees that have been established by the City Council. If you would like to be considered for an appointment, please indicate your area(s) of interest above and complete the form below.

Name: Terry Green

Mailing Address: REDACTED FOR PRIVACY

Phone: (Home) 916-786-8178
(Work)

Email: tgaia@sbcglobal.net

Profession: Architect

Professional History: LICENSED ARCHITECT FOR LAST 29 YEARS
PARTNER AT WILLIAMST PADDON ARCHITECTS IN ROSEVILLE

Tell why are you interested in serving on this commission or committee.

I WAS ORIGINALLY APPOINTED TO COMPLETE MICHAEL MURPHY'S
POSITION. ITS IMPORTANT THAT AN ARCHITECT SERVE ON
HISTORIC DESIGN REVIEW COMMISSION TO OFFER AN HISTORICAL
ARCHITECTURAL PERSPECTIVE. WOULD BE GLAD TO SERVE
A COMPLETE TERM.

Return the completed form to: Auburn City Hall
c/o City Clerk's Office
1225 Lincoln Way, Room 8
Auburn, CA 95603
530/823-4211, Ext. 112

1 RESOLUTION NO. 13-
2 RESOLUTION APPOINTING A HISTORIC DESIGN REVIEW COMMISSIONER
3 -----

4 THE CITY COUNCIL OF THE CITY OF AUBURN DOES HEREBY RESOLVE:

5 That the City Council of the City of Auburn does hereby authorize the
6 appointment of the following to fill the scheduled vacancy on the Historic
7 Design Review Commission.

8
9 1. Terry Green At-Large Member
10 Architect
11 Term ending 2/1/2017
12

13 DATED: February 25, 2013
14

15
16 Kevin Hanley, Mayor

17 ATTEST:

18 Stephanie L. Snyder, City Clerk
19

20 I, Stephanie L. Snyder, City Clerk of the City of Auburn, hereby certify
21 that the foregoing resolution was duly passed at a regular meeting of the City
22 Council of the City of Auburn held on the 25th day of February 2013 by the
following vote on roll call:

23 Ayes:
24 Noes:
25 Absent:

26 Stephanie L. Snyder, City Clerk
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*Report to the
Auburn City Council*

Information Item

6

Agenda Item No.

[Signature]
City Manager's Approval

To: Mayor and City Council Members
From: Mark D'Ambrogio, Fire Chief *[Signature]*
Date: February 25, 2013
Subject: Informational Item- Auburn Fire 2012 Incident Response Report

The Issue

This is a Staff report on 2012 Fire Department response and emergency incidents. No action is requested or required. This is informational only.

Conclusion and Recommendation

Staff will present an overview of 2012 Fire Department response and functions.

Background

Highlights

- Fire Department calls for service during 2012 Total 1824, 128 more calls than the previous year.
- EMS related calls still represent approximately 66% of total calls
- Increase in call volume was across all incident types; Fire had the largest increase from the previous year.
- Fire Department calls for service over a sixteen (16) year period represent a steady 35% increase.
- Automatic and mutual aid occurrences with neighboring agencies continue as a part of the integrated response system to maintain service levels due to significant growth in call volumes and multi incidents occurring simultaneously.
- The busiest time period for response is from 0800 hours to 2000 hours, representing 64% of the call volume.

-
- Overall State Mutual Aid responses by the fire department were active last year due to the many large incident fires in the northern part of the state.
 - Volunteer firefighting personnel are in various levels of training from initial safety training to apparatus operation.
 - The department continues to participate in the “joint” Volunteer Firefighter Safety Academy involving multiple fire agencies that utilize volunteer personnel.
 - Grant funding continues to become very competitive in all areas; equipment, staffing, and fuel reduction programs. Some programs at the state level have been drastically reduced and or offer limited funding. FEMA/DHS Assistance For Firefighter’s (AFG) grant program may see reductions in funding in the coming years.

Fire Department Areas of Focus

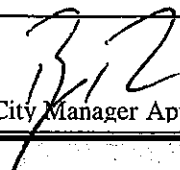
The Fire Department will continue to focus on key areas that support service delivery to the community promoting safety, efficiency, and professionalism. These areas are:

- Apparatus Replacement Program
- Personal Protective Equipment (PPE)
- California Incident Command Certification System (CICCS) (Training Standards)

THIS ITEM IS INFORMATIONAL ONLY. A COPY OF THE PRESENTATION/INFORMATION IS AVAILABLE FROM THE CITY CLERK’S OFFICE OR THE FIRE CHIEF’S OFFICE.



Report to the Auburn City Council

*Action Item**Agenda Item No. 7*
City Manager Approval

To: Mayor and City Council Members
From: Bernie Schroeder, Director of Public Works
Date: February 25, 2013
Subject: Regional Sewer Project Deal Points

The Issue

Shall the City provide the City of Lincoln and the Placer County Board of Supervisors (BOS) a series of deal points to continue the City of Auburn's intent to participate with the Regional Sewer Project?

Conclusion and Recommendation

The City Council approves the Regional Sewer Deal Points and send them to Placer County Board of Supervisors and the City of Lincoln.

Background

On February 11, 2013 the City Council heard an update on the Regional Sewer Project and directed staff to prepare draft deal points that would eventually be sent to Placer County and the City of Lincoln. Staff has prepared the draft deal points and incorporated the changes from the City Council for your review and approval.

Updated Information:

During the February 11, 2013 City Council meeting, there was discussion regarding the possibility of the County providing a minimum of \$7 million and the possibility of zero percent financing available from the State Revolving Fund (SRF). Upon further research, staff has found that qualifying for the zero percent financing was, in all previous cases, contingent on several factors including:

- (1) A jurisdiction's placement as a "Disadvantaged Community (DAC)" with respect to sewer rates paid as a percentage of median household income (must be less than 80% of Statewide Median Household Income – only 33% of the City of Auburn's census tracts fit this criteria);
- (2) Whether or not the State has adequate funds available to allocate to the jurisdiction as part of the DAC program; and
- (3) Whether or not the State Water Resource Control Board had made a determination that lowering the interest rate from 1.70% was within the scope of their policy objectives (note: all recent interest rate adjustments have only been provided to DAC's).

With respect to the impact of a zero percent SRF loan on the amount of subsidy required to maintain stable rates, staff estimates annual debt service for a \$26 million SRF loan would decrease by approximately \$250,000 annually, or about \$3.00 per EDU/Month.

Alternatives Available to Council:

1. Accept Draft Deal Points and forward them on to Placer County Board of Supervisors and the City of Lincoln Council.
2. Amend the Draft Deal Points and forward them on to Placer County Board of Supervisors and City of Lincoln Council.
3. Do not send the Deal Points.

Fiscal Impacts

The City has budgeted for the staff time to prepare the Regional Sewer Deal Points.

Attachments: Exhibit A -- Regional Sewer Deal Points

EXHIBIT A

REGIONAL SEWER DRAFT DEAL POINTS TO CONSIDER

Agreements

Following the general process or model that Placer County has initiated in constructing the Western Regional Sewer Project there could be a series of agreements between the jurisdictions. The first, a Design and Environmental Review Agreement (DERA) followed by a Construction and Initial Operations Agreement (CIOA).

For Auburn, staff is proposing City Council consider these general provisions to be included in a model type agreement such as a DERA:

1. Auburn's buy in for the common section of pipeline only is estimated at 2.8 million. This would be in the form of an agreement with Placer County. Referenced from the Lincoln/County DERA.
2. Lincoln would be responsible for environmental work for everything related to the Lincoln Plant, Auburn Plant and the regional pipelines.
3. Auburn would be presented an option to participate in the common pipeline prior to the award of the County related regional project (estimated to be in Sept 2013). This would be an understanding under an agreement with Placer County.
4. The City of Auburn would reimburse the City of Lincoln as the work is completed not upfront.
5. Indemnification: Neither the County nor Lincoln is indemnifying the other party in their approved DERA so Auburn staff would support a similar arrangement pending input from the City Attorney and Risk Management.
6. Initiate the Environmental Impact Report for the Auburn facilities following the bidding of the County project which includes the common pipeline to benefit by actual bid numbers.
7. The City of Auburn and Lincoln would work cooperatively together to complete the design and environmental review process however there would be no hard line deadlines not mutually agreed upon prior to the full execution of the DERA.
8. In the event after the completion of the environmental process Lincoln or Auburn chooses not to move forward with the project, the City of Auburn will receive ownership of the design documents and may elect to move forward at a later date or by another means or not at all.
9. Any costs or changes in scope associated with the DERA would be approved by the Auburn City Council.

Other issues that would be decided upon under the DERA would likely include Terms and Termination, Rights of Way and Property Acquisitions, Financing, Water Rights, Additional Agreements, Dispute Resolution and other specific to legal matters between the parties.

For the model type CIOA, staff is suggesting the following provisions be considered:

1. The CIOA would be utilized as a mechanism for the construction and management of the regional pipeline including treatment at the Lincoln plant and would establish the framework for the future governance.
2. The budget for this project is understood currently to be at \$36.3 million but would be adjusted based on actual construction bids, adjustment for proposed Auburn retention of plant and Auburn only pipe and with agreement from Lincoln City Council.

3. Lincoln operates its plant and regional pipelines; Auburn owns, operates its ponds, pump station and pipelines.
4. For the treatment of effluent Auburn pays operations and maintenance costs equal to that of the Lincoln and Placer County rate payers. For maintenance of the regional facilities and Lincoln oversizing costs this would be established and agreed to in the CIOA.
5. Lincoln would be responsible for any regulatory fines associated with the regional facilities Auburn for the Auburn portion.
6. The City of Auburn (as with Placer County) would be responsible for any regional portion construction cost overruns that exceed the oversizing payment.
7. The City would establish a fiscal disbursement agreement to make payments for work completed under the CIOA.
8. The CIOA would establish the connection fee for the regional Project and this fee along with the M & O fee component of the rate would be the same for all users.
9. The costs to buy into the Lincoln Plant will be firm for existing users and the City of Auburn will be provided an option to purchase an additional of treatment capacity once the Regional Project is constructed at the then current Lincoln connection fee.
10. The CIOA would include provisions for governance during the first 5 years of operations as well as a framework for long term governance and dispute resolution.
11. Execution of the DERA would not contractually bind either party to execution of the CIOA.
12. Lincoln is responsible for managing construction of its WWTP and regional pipelines (Auburn would reimburse Lincoln).
13. Auburn would manage construction of its plant site and pipeline since they would be separate projects and owned and operated by the city.
14. Start construction after environmental (EIR Addendum for Auburn) is certified and the County near completion.

Governance

The issue of governance is not yet fully developed but a joint powers approach for the Regional project is typically a good model which provides the greatest potential for equity and fair representation.

Specific deal points to consider are as follows:

1. All parties share equally in the future cost of compliance at the Lincoln WWTP.
2. Provisions in the agreement would protect Auburn rate payers from being burdened with compliance costs that are specifically a result of either one of the other parties and not Auburn.
3. Each agency to manage the design and construction of the facilities they will ultimately own.
4. Auburn to enter into an agreement with Placer County and Lincoln for the annual maintenance of the Regional pipe line and Lincoln WWTP for treatment operations.

City Council Amendments (2/11/13)

1. Governance Agreement would be a Joint Powers Agreement with a strong voice and veto powers over any major changes in the by-laws of leadership.
2. Financing that would provide for complete rate stabilization for Auburn, which includes no rate increases to the rate payers.
3. Auburn would maintain complete control over the decisions and timing of repairs of the City's Collection System.
4. FERC funds at least partially diverted to an Enterprise Fund for the Regional Sewer Project.
5. Developer Reimbursement agreements at future cost levels for connecting into the Regional Pipeline.

6. Environmental Impact Report (EIR) certified with mitigation measures and approved by Auburn.
7. Auburn is not responsible for make-up water.

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Report to the Auburn City Council

Action Item

Agenda Item No. **8**

[Signature]
City Manager's Approval

To: Mayor and City Council Members
From: Mike Holmes, Council Member
Date: February 25, 2013
Subject: Transfer of Documents and Records to the Placer County Archives

ISSUE: Shall the City Council approve the transfer of historic city documents and records to the Placer County Archives?

RECOMMENDATION: By motion approve the transfer of historic city documents and records to the Placer County Archives for safekeeping.

BACKGROUND: Attachment (A) contains a list of historic city documents, records, and artifacts dating as early as 1888 with the second incorporation of the City of Auburn. Most of these records are stored, in a disorganized fashion, in a closet in the Administrative Services Department and not readily available to researchers. Other items are stored in the city historian's office in the historic classroom. The Placer County Archives has recently moved to a new climate controlled facility at the DeWitt Center. The facility offers steady heat and humidity controls which reduce the causes of document deterioration. Our current storage area does not offer the same protection. The archives are staffed several days per week and researchers must abide with rules and procedures. The City Attorney has reviewed this list of proposed items and said they may be transferred to the County without violating the City's policy or state law. The City Historian and I both recommend the transfer to the Placer County Archives. The Museums Department and archives have already been advised of this potential transfer.

FINANCIAL IMPACT: Nil

DELINQUENT TAX ROLLS		1899-1900	VERY FEW NAMES
JAIL REGISTER		JAN. 1940- APRIL 1953	NAMES, OFFICER, CHARGES
LICENSES		1944-1956	NAMES OF INDIVIDUALS AND BUSINESSES
LICENSES		1956	NAMES OF INDIVIDUALS & BUSINESSES
LOOSE PAGES			INDEX ONLY OF RESOLUTIONS
RECORDS OF BOARD OF TRUSTEES	#3	MAY 1912-SEPT. 1923	
RECORDS OF THE BOARD OF TRUSTEES	#4	OCT. 1923 - APRIL 1940	
RECORDS OF THE CITY COUNCIL	#5	APRIL 1940-JULY 1950	
RECORDS OF THE CITY COUNCIL	#6	AUG. 1950 - SEPT. 1964	
BOARD OF HEALTH LEDGER		1895	
IMPOUND BOOK		1895	ANIMAL IMPOUNDS
PRESCRIPTION BOOK		1930'S	FROM A LOCAL DRUGGIST - POSSIBLY SNOWDEN
TIN BOX		UNSURE	NAME ON BOX - E. C. SNOWDEN
PHOTO - FRAMED			MAN PLOWING WITH HORSES - NO ID
PHOTO - FRAMED		PRE - 1879	ON BACK "JOHN GAINES 1816 - 1879"
SHOT GLASS			NOTE ON IT SAYS "FROM FREEMAN HOTEL"
PROGRAM - HOOK & LADDER # 1 CENTENNIAL 1952		1952	
GRADUATION PROGRAM - AUBURN JOINT UNION ELEMENTARY SCHOOL		1950	
FOLDER - CITY OF AUBURN BUDGET		1953-1954	